

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LA VINCE PATE,

Petitioner

v.

TABB BICKELL, *et al.*,

Respondents

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CIVIL NO. 1:13-CV-2120

(Judge Rambo)

(Magistrate Judge Schwab)

ORDER

AND NOW, this 19th day of May, 2015, **IT IS HEREBY ORDERED**

THAT:

- 1) The court adopts the report and recommendation of Magistrate Judge Schwab.
- 2) The petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 is **DENIED**.
- 3) The court declines to issue a certificate of appealability.
- 4) The Clerk of Court shall close the file.

s/Sylvia H. Rambo
United States District Judge